COURT NO.6

HIGH COURT OF UTTARANCHAL AT NAINITAL.

Writ petition No. 732 (MS) 2003

CIVIL SIDE

Audyogik Avam Shaikshanik Sansthan ....PETITIONER

Versus.

Civil Judge (S.D.) ..... RESPONDENTS

Hon'ble Rajesh Tandon J.

This writ petition has been field for a direction to the respondent no.1 to expedite the hearing of Civil suit No. 368 of 1986. Has field a Suit against the respondent on the ground that the disputed property belongs to the plaintiff society and the defendant no.1 to 32 have no right in the disputed property and as such they be restrained from interfering in the disputed property in any manner. The suit was registered as O.S. No.368 of 1986. Defendants filed written statement and issues were framed on 15th March 1989. The petitioner states that respondents no.2 to 33 are prolonging the hearing of the suit.

The suit was field in the year 1986 and it is pending for about 16 years in the trial Court.

Since the suit has been field in the year 1986, itself, therefore, looking to the pendency of the cases before the Court concerned, it is desirable that application for expeditious disposal can be made before the Court of District Judge, Dehradun.

Looking to the facts and circumstance of the case, interest of justice requires that the petitioner may approach the District Judge by filing an application for expeditious disposal.

If such an application is field before him it is expected that the District Judge will dispose of the same with some directions to the presiding Officer to dispose of the case within certain period.

With the aforesaid observations the writ petition is disposed of.

(Rajesh Tandon J.)

8.8.2003
*Dhyani